

Message Text

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SUBJ: ARGENTINE PERMREP'S LETTER CONCERNING FALKLAND ISLANDS

REF: USUN 4437

THE FOLLOWING LETTER ON THE FALKLAND ISLANDS DATED
OCT 30, 1974 FROM ARGENTINE PERMREP ORTIZ DE ROZAS TO SYG
WALDHEIM WAS CIRCULATED AS UN DOC A/9824.

ON EXPRESS INSTRUCTIONS OF MY GOVT, I HAVE HONOUR TO ADDRESS
YOU WITH REFERENCE TO LTR OF 24 OCT 1974 (A/9814) FROM
PERM MISSION OF UK OF GREAT BRITAIN AND NORTHERN IRELAND,
CONTAINING A NUMBER OF COMMENTS RELATING TO STATEMENT MADE
BY MINISTER FOR FOREIGN AFFAIRS OF ARGENTINE REPUBLIC,
HIS EXCELLENCY AMB D. ALBERTO J. VIGNES, IN GA ON 24
SEPT 1974 1/ AND TO LTR OF 22 AUG 1974 (A/AC.109/458)
FROM THIS PERM MISSION ADDRESSED TO YOU.

ARGENTINE GOVT WELCOMES SATISFACTION EXPRESSED BY GOVT
OF UK IN RESPECT OF RECENT CONCLUSION OF AGREEMENTS ON
SUPPLY AND MARKETING OF PRODUCTS OF YACIMIENTOS PETROLIFEROS
FISCALES IN MALVINAS ISLANDS AND ON MEASURES TO FACILITATE
TRADE AND CARIAGE OF GOODS BETWEEN MALVINAS ISLANDS AND
ARGENTINE MAINLAND. IN THIS WAY, MY GOVT WISHES TO CONSIDER
NEEDS AND INTERESTS OF INHABITANTS OF ARCHIPELAGO, FULFILLING
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THEM COMPLETELY IN ACCORDANCE WITH GA RES 2065 (XX) OF

16 DEC 1965 AND 3160 (XXVIII) OF 14 DECEMBER 1973, AS A COLLATERAL ELEMENT OF SUBSTANTIVE SETTLEMENT THAT TWO GOVTS MUST REACH ON CONFLICT OF SOVEREIGNTY EXISTING BETWEEN THEM. GOVT OF ARGENTINA REAFFIRMS ON THIS OCCASION THAT ONLY POSSIBLE SOLUTION IS SIMPLY THE RETURN OF ISLANDS TO ARGENTINE REPUBLIC, TO WHOSE SOVEREIGNTY THEY ARE SUBJECT. IN THIS SENSE MY GOVT SHARES THE DESIRE EXPRESSED BY GOVT OF UK TO ARRIVE AT A JUST AND PEACEFUL SETTLEMENT OF DISPUTE. HOWEVER, GOVT OF UK INSISTS THAT SOLUTION MUST BE CONSONANT WITH "WISHES" OF INHABITANTS OF MALVINAS. HERE I MUST REFER TO RELEVANT PARAS OF LTR WHICH WAS ADDRESSED TO YOU- ALSO ON EXPRESS INSTRUCTIONS OF MY GOVT-ON 5 NOV 1973 (A/9287).

SECOND TO EIGHTH PARAS INCLUSIVE OF THAT LETTER REFER TO AMBIGUOUS STAND TAKEN BY UK GOVT ON ISSUE. IT WOULD BE TOO LENGTHY AND REPETITIVE TO ENUMERATE ONCE AGAIN ARGUMENTS PUT FORWARD IN LTR: SUFFICE IT TO RECLL THAT EXPRESS TERMS OF PARA 1 OF RES 2065 (XX) HAVE CLOSED ONCE AND FOR ALL DEBATE ON TOPIC OF INVITING "GOVTS OF ARGENTINA AND UK...TO PROCEED WITHOUT DELAY WITH NEGOTIATIONS..."WITHOUT ALLUDING TO INTERVENTION OF A FACTOR THAT IS COMPLETELY EXTRANEIOUS TO NEGOTIATIONS AND WHICH IS WITHOUT COMPETENCE OR AUTHORITY TO INTERVENE IN THEM EVEN INDIRECTLY.

MOREOVER, NO PART OF TEXT OF RES REFERS TO "WISHES" OF INHABITANTS OF ISLANDS. THAT IS BECAUSE GA, VERY PRUDENTLY, DEFINED SPECIFIC BASES FOR SOLUTION OF A PROBLEM WHICH HAS VERY SPECIAL FEATURES AND CANNOT BE LIKENED TO OTHER COLONIAL PROBLEMS WHICH STILL EXIST IN WORLD. IN FACT, QUESTION OF MALVINAS ISLANDS IS AN EXCEPTIONAL CASE IN WHICH RIGHT TO SELF-DETERMINATION MUST GIVE WAY TO APPLICATION OF PRINCIPLE OF TERRITORIAL INTEGRITY, SINCE CONTRARY WOULD IMPLY JUSTIFICATION OF AN ILLEGAL ACT OF FORCE WHICH HAS NEVER BEEN ACCEPTED BY ARGENTINE REPUBLIC AND IS CONTRARY TO CHARTER OF UN, RES 1514 (XV) OF 14 DEC 1960, AND NORMS OF INTERNATIONAL COMMUNITY.

FINALLY, AS FAR AS CONTACTS EXISTING BETWEEN TWO GOVTS TO RENEW NEGOTIATIONS ENVISAGED IN RES 2065 (XX) AND 3160 (XXVIII) ARE CONCERNED, ARGENTINE GOVT WISHES TO REITERATE THAT,
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UNDER TERMS OF THOSE RES, NEGOTIATIONS MUST TAKE PLACE EXCLUSIVELY BETWEEN GOVTS OF ARGENTINE REPUBLIC AND UK. THERE CAN THUS BE NO PRESUMPTION OR CLAIM THAT SETTLERS OF ISLANDS SHOULD PARTICIPATE IN NEGOTIATIONS, WITH PROVISIO THAT DURING NEGOTIATIONS INTERESTS OF ISLANDERS MUST BE DULY TAKEN INTO ACCOUNT-SOMETHING THAT HAS BEEN AND IS A CONCERN OF ARGENTINE GOVT, DEMONSTRATED AT ALL STAGES OF PROCESS AIMED AT REACHING A PEACEFUL AND FINAL

SOLUTION TO QUESTION. RES 2056 (XX) MAKES SPECIFIC PROVISION FOR THIS BY INVITING GOVTS TO NEGOTIATE AND REACH A PEACEFUL SOLUTION "BEARING IN MIND...THE INTERESTS"-NOT THE WISHES-"OF POPULATION OF FALKLAND ISLANDS (MALVINAS)".

I SHOULD BE VERY GRATEFUL IF YOU WOULD KINDLY ARRANGE FOR THIS COMMUNICATION TO BE CIRCULATED AS A GA DOC RELATING TO AGENDA ITEM 23 AND WOULD BRING TO IT ATTENTION OF SPC ON SITUATION WITH REGARD TO IMPLEMENTATION OF DECLARATION ON GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES.

(SIGNED) CARLOS ORTIZ DE ROZAS
AMB. PERMREP

1/ SEE/A/PV.2240, P.21.

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